

Schwartz, Hanna, Olsen, & Taus P.C.

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Counsel: David M. Taus, Esq. (attorney of record)

Christopher Olsen, Esq. (attorney Pro Hac Vice)

Attorneys moving to be relieved as counsel for Defendants, Vulcan Power Group; LLC, Ajax Capital, LLC; Ford F. Graham; Kevin C. Davis; and Vulcan Capital, LLC

| | | |
|-------------------------------|---|---------------------------------|
| _____ | : | UNITED STATES DISTRICT |
| SUSAN FLANNIGAN, | : | COURT OF THE SOUTHERN |
| | : | DISTRICT OF NEW YORK |
| <i>Plaintiff,</i> | : | |
| | : | Docket No.: 09-Civ.8473 |
| v. | : | |
| | : | |
| VULCAN POWER GROUP, LLC, AJAX | : | NOTICE OF MOTION AND |
| CAPITAL, LLC, FORD F. GRAHAM | : | PROOF OF SERVICE FOR |
| And KEVIN C. DAVIS and | : | MOTION TO BE RELIEVED AS |
| VULCAN CAPITAL, LLC, | : | COUNSEL |
| | : | |
| <i>Defendants</i> | : | |
| _____ | : | |

TO: Ford Graham Personal Identifier Redacted

Marc Stadtmauer, Esq.
Attorney for Plaintiffs
(served via PACER)

PLEASE TAKE NOTICE that the undersigned, attorneys for Defendants, Vulcan Power Group, LLC; Ajax Capital, LLC; Ford F. Graham; Kevin C. Davis; and Vulcan Capital, LLC, will move before the United States District Court, For the Southern District of New York, on _____, 2023, for an Order permitting Schwartz, Hanna, Olsen & Taus, P.C. to be relieved as counsel.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, movant will rely on the accompanying Certification of defense counsel. A proposed form of order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that defendant DO NOT REQUEST oral argument unless opposition is filed.

DATED: February 13, 2023

SCHWARTZ, HANNA, OLSEN & TAUS, P.C.
Attorneys moving to be relieved as counsel for
Defendants

BY:



David M. Taus, Esquire

CERTIFICATION FOR PROOF OF SERVICE

The undersigned hereby certifies that on this date the original of the within Notice of Motion, Supporting Certification of David M. Taus, Esq., and proposed form of Order were forwarded via Pacer and filed with the United States District Court, Southern District of New York, Poughkeepsie, NY 12601; a copy of each such document was served upon plaintiff's attorney Marc Stadtmuer, Esq. through Pacer; and a copy was served upon the Defendants by regular mail, certified mail, and email listed above.

DATED: February 13, 2023

SCHWARTZ, HANNA, OLSEN & TAUS, P.C.
Attorneys moving to be relieved as counsel for
Defendants

Any opposition to the motion shall
be filed no later than noon on
February 22, 2023.

SO ORDERED.



2/14/23



David M. Taus, Esquire